



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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METER VANDERBILT  
AND OTHERS  
RECEIVED  
DEPT. OF COMMERCE  
WASHINGTON, D.C.

EXAMINER	
MILLER	
ART UNIT	PAPER NUMBER
110	2

DATE MAILED:

05/30/15

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☐ Responsive to communication filed on \_\_\_\_\_ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), \_\_\_\_\_ days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☒ Notice of References Cited by Examiner, PTO-892.
2. ☐ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449
4. ☐ Notice of informal Patent Application, Form PTO-152
5. ☐ Information on How to Effect Drawing Changes, PTO-1474
6. ☐ \_\_\_\_\_

Part II SUMMARY OF ACTION

1. ☒ Claims 1-25 are pending in the application.  
Of the above, claims 2-4, 7, 9, 10, 15, 17-19, 22-25 are withdrawn from consideration.
2. ☐ Claims \_\_\_\_\_ have been cancelled.
3. ☐ Claims \_\_\_\_\_ are allowed.
4. ☒ Claims 1, 5, 6, 8, 11-14, 16, 20, 21 are rejected.
5. ☐ Claims \_\_\_\_\_ are objected to.
6. ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings which are acceptable for examination purposes until such time as allowable subject matter is indicated.
8. ☐ Allowable subject matter having been indicated, formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on \_\_\_\_\_. These drawings are ☐ acceptable; ☐ not acceptable (see explanation).
10. ☐ The ☐ proposed drawing correction and/or the ☐ proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed \_\_\_\_\_, has been ☐ approved. ☐ disapproved (see explanation). However, the Patent and Trademark Office no longer makes drawing changes. It is now applicant's responsibility to ensure that the drawings are corrected. Corrections MUST be effected in accordance with the instructions set for on the attached letter: "INFORMATION ON HOW TO EFFECT DRAWING CHANGES", PTO-1474.
12. ☐ Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other \_\_\_\_\_

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1, 5, 6, 8, 11-14, 16, 20, and 21 are drawn to a matrix printer, classified in Class 101, subclass 401.5.

II. Claims 2, 7, 15, 17, 22, and 25 are, drawn to laser printer, classified in Class 346, subclass 108L.

III. Claims 3, 9, 18, and 23 are, drawn to ink jet printer, classified in Class 346, subclass 75.

IV. Claims 4, 10, 19, and 24 are, drawn to thermal printer, classified in Class 346, subclass 76PH.

2. The inventions are separate and distinct, each from the other because of the following reasons: Dot matrix printing is a recognized division of impact printing. Laser, ink jet and thermal printing are all recognized divisions of recording in Class 346.

3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

4. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.

5. During a telephone conversation with Peter Vrahotes on June 8, 1983 a provisional election was made without traverse to prosecute the invention of Group I, claims 1, 5, 6, 8, 11-14, 16, 20 and 21. Affirmation of this election must be made by applicant in responding to this Office action.

Claims 2-4, 7, 9, 10, 15, 17, 18, 19, and 22-24 are withdrawn from further consideration by the Examiner, 37 CFR 1.142(b) as being drawn to a non-elected invention.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(a) the invention was known or used  
by others in this country, or  
patented or described in a printed  
publication in this or a foreign  
country, before the invention thereof  
by the applicant for a patent.

7. Claims 1, 5, 6, 8, 11-14, 16, 20, and 21 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Bergeron.

Miller/lg  
703-557-2911  
6/16/83

*George H. Miller Jr.*

GEORGE H. MILLER, JR.  
EXAMINER  
GROUP ART UNIT 216